



April 7, 2014

Edward Armenta, Supervisor
Inyo National Forest
351 Pacu Lane
Bishop, CA 93514

Dear Supervisor Armenta:

This letter of support for Grant # G13-02-05-P01 is being submitted on behalf of the BlueRibbon Coalition, a national non-profit trail-based recreation group.

BRC has reviewed the proposal and believes it is possible that specific designation of routes and areas for OSV use will create better management of winter recreation on the National Forest System, including the Inyo National Forest.

However, we are concerned that recent developments, including settlement of *Snowlands Network v. U.S. Forest Service*, Case No. 2:11-cv-2921-MCE (E.D.Cal.) will be construed in favor of restrictions on OSV use. Several important points are necessary. For one thing, the settlement agreement, by its express terms, only addresses planning duties for the Plumas, Tahoe, Eldorado, Stanislaus and Lassen Forests, and does NOT specifically address the Inyo National Forest. Settlement Agreement at par. 1. Regardless, the settlement is purely procedural, and does not dictate, or even imply, ANY substantive outcome. There is nothing in either the specific language or existence of the settlement agreement that requires any restrictions on existing OSV use. *Id.* at par. 15.

The concerns about OSV recreation are largely brought by well-organized and well-funded preservationist interests to focus on alleged “user conflict” as a basis for restriction, if not elimination, of historic OSV access. The state and federal land managing agencies should not capitulate to these strategic but factually unsupportable efforts. The reality is that quality recreation experiences abound on the National Forest System, and particularly so for non-motorized recreation. Even where a handful of vocal special interests proclaim a system besieged by “user conflict,” careful study has supported, and the courts have upheld, continuation of historical motorized access to our public lands. See, e.g., *Hells Canyon Alliance v. U.S. Forest Service*, 227 F.3d 1170, 1182 (9th Cir. 2000) (upholding agency decision addressing “user conflict” that was deemed to have been “reasoned and reasonably informed”); *Riverhawks v. Zepeda*, 228 F.Supp.2d 1173, 1184 (D.Or. 2002) (rejecting preservationist “user conflict” arguments and stating “it is the agency’s role – not court’s – to balance competing recreational uses.”).

It appears that OSV planning efforts will for the most part engage in a planning process that reviews “existing” opportunities such as route networks and staging areas while eliminating review of new or future casual and/or commercial OSV opportunities. In Subpart B (OHV/summer motorized) travel planning, Region 5 basically limited Forests to analyzing their existing route network and not bringing any new “projects” into the initial planning process. As with Subpart B, it appears that Region 5 has again limited its Forests to analyzing only their existing OSV network and current program in an effort to create an OSV “Foundation” upon which it can hopefully build upon during subsequent post “Foundational” project level planning.

BRC applauds the agency’s commitment to work with local OSV clubs and other stakeholder groups during the upcoming 2-3 year planning process. It will require all stakeholders to remain engaged with the agency.

BRC supports this grant with the understanding that it does not preclude the analysis of new opportunities in the future to meet recreation and resource needs. BRC looks forward to working with the Inyo National Forest on this and other motorized recreation projects in the coming year.

Best regards,

Don

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